

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
CASE NO. 1:21-MC-6-UA-LPA**

In re Application of KARAM SALAH  
AL DIN AWNI AL SADEQ and  
STOKOE PARTNERSHIP  
SOLICITORS for an Order Under  
28 U.S.C. § 1782 to Conduct  
Discovery for Use in Foreign  
Proceedings.

**MOVANTS' MOTION  
TO SEAL**

NOW COME Movants Nicholas Del Rosso (“Del Rosso”) and Vital Management Services, Inc. (“VMS”) (collectively, “Movants”), by and through their undersigned counsel, and pursuant to Local Rules 5.4 and 5.5, hereby move this Court to seal Exhibits B to the Declaration of Brandon Neuman (“Neuman Decl.”), Dkt. 26. In support of this Motion, Movants show the Court the following:

1. Exhibit B to the Neuman Decl. (“Ex. B”) is an uncertified copy of WhatsApp messages obtained from Indian police evidencing Kotak Mahindra Bank employees’ unauthorized leak of CyberRoot Risk Advisory Private Ltd.’s (“CyberRoot”) bank statements, previously filed on February 10, 2023 in *Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 160 (M.D.N.C. Feb. 10, 2023) (“the MDNC Lawsuit”). Ex. B was filed provisionally under seal in the MDNC Lawsuit, and is similarly being provisionally filed under seal in this matter.

2. With respect to Ex. B, sealing is warranted because these exhibits contain sensitive and confidential information relating to a criminal investigation. *See, e.g., Silicon Knights, Inc. v. Epic Games, Inc.*, No. 5:07-CV-275-D, 2011 WL 901958, at \*2 (E.D.N.C. Mar. 15, 2011) (allowing redaction of documents where “the documents in question contain confidential and proprietary commercial information, including . . . highly sensitive financial and business information . . . which is of utmost importance to them but not generally available to the public or bearing importance to any public matters”). The information is being submitted for the purpose of substantiating that employees of CyberRoot’s bank leaked CyberRoot’s bank statements without authorization. As such, the redactions are limited such that the public will be able to understand the general purpose of Exhibit B.

3. Accordingly, sealing is appropriate here. Public knowledge of Ex. B would not enhance the public’s understanding of the dispute at bar. Therefore, Respondents’ interest in keeping this information sealed outweighs any interest that the public would have this information.

4. In light of the above, Respondents seek to (a) permanently seal Ex. B, subject to the public redacted versions, and (b) temporarily seal Ex. B, through and the Court’s determination of this Motion, without prejudice to the parties’ right to later seek permanent sealing of any of the information therein.

5. In accordance with the Local Rules, Respondents will submit a Local Rule 5.4 Checklist to Judge Osteen's ECF mailbox within three (3) business days of filing this Motion.

**WHEREFORE**, Respondents respectfully request that the Court seal Exhibit B to the Neuman Declaration.

Respectfully submitted, this the 12th day of May, 2023.

**NELSON MULLINS RILEY &  
SCARBOROUGH LLP**

By: /s/ Brandon S. Neuman  
Brandon S. Neuman, NCSB# 33590  
Jeffrey M. Kelly, NCSB# 47269  
Nathaniel Pencook, NCSB# 52339  
301 Hillsborough Street, Suite 1400  
Raleigh, North Carolina 27603  
Telephone: (919) 329-3800  
Facsimile: (919) 329-3799  
[brandon.neuman@nelsonmullins.com](mailto:brandon.neuman@nelsonmullins.com)  
[jeff.kelly@nelsonmullins.com](mailto:jeff.kelly@nelsonmullins.com)  
[nate.pencook@nelsonmullins.com](mailto:nate.pencook@nelsonmullins.com)  
*Counsel for Respondents*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of May, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send electronic notification of filing to the following:

Mark W. Merritt  
Robinson, Bradshaw & Hinson, P.A.  
101 N. Tryon Street, Suite 1900  
Charlotte, NC 28246  
[mmerritt@robinsonbradshaw.com](mailto:mmerritt@robinsonbradshaw.com)

### **NELSON MULLINS RILEY & SCARBOROUGH, LLP**

By: /s/ Brandon S. Neuman  
Brandon S. Neuman, NCSB# 33590  
Jeffrey M. Kelly, NCSB# 47269  
Nathaniel J. Pencook, NCSB# 52339  
301 Hillsborough Street, Suite 1400  
Raleigh, North Carolina 27603  
Telephone: (919) 329-3800  
Facsimile: (919) 329-3799  
[brandon.neuman@nelsonmullins.com](mailto:brandon.neuman@nelsonmullins.com)  
[jeff.kelly@nelsonmullins.com](mailto:jeff.kelly@nelsonmullins.com)  
[nate.pencook@nelsonmullins.com](mailto:nate.pencook@nelsonmullins.com)  
*Counsel for Respondents*